Previous reference

1906

(Legislation)

Later references.

Jud 253-07.1-2

Vol **File No.**

Serial Nos.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. /

Part B. for April 1907

SUBJECT.

Conduct of Land Acquisition cases by Divisional Assistant Commrs.

Table of Contents

To the Registrar of the Chief Court

" Dy Commrs of Dists No 3041-S

States that in cases of importance arising under the Land Acquisition Regulations it would be desirable whenever possible to depute the Asst Commr in charge of the Subdivision to assist and instruct the Govt Public Prosecutor or other person acting on behalf of Govt before the Court

G. R. S. 58

G. R. S. 11] 1906.07

GENERAL AND REVENUE SECRETARIAT

(Legislation)

NOTES.

File. No. 20

FILE HEADING.

Conduct of Land Acquisition Cases by Divisional Assistant Commissioners

rom

	No.	Dated	Received	
Diary No.		Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

First Councillor's addition to the draft put up by Branch IV (Rl 7 dt 3/10 of 05) in the matter of engaging the services of Public Prosecutor for conducting Case of award referred to the Civil Court in connection with

NOTES—First sheet.

MGCPB—30,000—17-2-05.

Serial No.

the acquisition of lands for the sewage farm of the Chamiyendupet drainage bungalow &c.

2. The Govt would like to know why the Asst. Tahsildar in charge of the bungalow group of Taluks & of the bungalow Dist Treasury should not conduct the case on behalf of the Depts Counsel before the Civil Judge 20/6/06.

Seetaya's note thereon —

"I have personally represented to the Dist Collector that there may be obstacles in the rules relating to the appearance of parties before Civil Courts (ie the Legal Practitioners Rules) to the appearance of Asst Tahsildars as such to represent Govt in Land Acq Cases. The Collector agrees that the draft may be sent as originally drafted & that the addition made by him may be treated as a suggestion

4. Please send draft as above & then submit separately for orders on the suggestion about the Asst Tahsildars' appearances, with references from the Govt Branch".

RKS-C 2/7/06

5. Submitted for orders with reference according Rules published under Govt

MGCPB—50,000—24-7-05

G.R.S. 2]
General and Revenue Secretariat.

Leg File No. 20 of 1906 & 7

Serial No.

of the Mysore Legal Practitioners Regulation III of 1884, and relate to the qualifications required of Advocates & Pleaders and to enable them to practise, in the Courts before which they are entitled to appear

H U

The last Sec 4 of the Regulation contains provisions as to the persons who may appear and practise before Courts

It seems that under proviso 2 to that section the Govt may authorize Asst Surgeons by virtue of their office to act for Govt in respect of Land Acqn Cases

11/12/06 SN 11/12/06

Under Sec 4, Proviso 2, of Legal Practitioners Act III of 1884, any person ex-officio or otherwise authorized to act for Govt in respect of any judicial proceedings (in any Court) may make and do appearances, acts and applications within the scope of his authority on behalf of Govt

Under Sec 22 of Land Acquisition Regn proceedings under this Regn before a Civil Court are judicial proceedings and all persons entitled to practice in any Civil Court in the Province shall be entitled to appear plead and act in such proceedings &c

Note—Contn. sheet

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follows that any officer (asst. comm.) may be specially empowered by Govt to appear before any Civil Court and act on behalf of Govt in proceedings under Land Acquisition Regs.

The question however for consideration is, whether it is possible for an Asst. Comm. to take up the position of an advocate before a Civil Court and effectually conduct the duties when there is a complicated question of law or fact arranged as he may be before a professional advocate on the other side. It humbly appears to me that in important cases an Asst. Comm. may be deputed simply to assist the Public Prosecutor or the Govt Advocate in conducting them and not to take up the regular duties of an advocate which will be more efficiently performed by a member of the legal profession.

Secy) I quite agree

1727
22.12.06

187-C.V.

Amended Scheme effectively

NOTE—Contn. sheet

MGCPB—50,000—24.7.05

G.R.S. 221

General and Revenue Secretariat.

Leeg File No. 20 of 1906-07

Serial No.

Let me leave a brief draft of the above effect -

13.2.07

W.

13/2/07

Leg.

Draft submitted

SW

14/2

Please put up a fair draft as revised

W.

15/2/07

Seen

WS

16/2/07

Make clean copy & draft as recast by me & submit to Dewan

16.2.07

W

17/2/07

Clean copy submitted

SW

19-2-07

Draft submitted to Dewan for approval

WS

19/2/07

3852

23.2.07

Approved

Dewan

20/2/07

Ku

20/3

Note—Contn. sheet

MGCPB—50,000—24 7-05

G.R.S. 12]
General and Revenue Secretariat.

Leg File No. 90 of 1906—07

Serial No.

Govt Order No. 1304-58 of 4/6/07 to the Registrar of the Chief Ct & the Dy Commrs of Districts

States that, in cases of encroachment arising under the Land Acquisition Regulations, it would be desirable whenever possible to depute the Asst Commr in charge of the Sub division to assist and instruct the Govt Advocate Public Prosecutor & other person appearing on behalf of Govt before the Civil Courts

Recorded 9/6/07

Leg. 20-B

Fair draft

G.R.S. 28]

File No.

Serial No.

Diary No. of letter replied to _____

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT

( )

READ.—

, the 190

Date of issue _____

Signed by _____

ORDER THEREON.—No. J 30641-50/Leg-20-8 dt 2.6.50

Government consider that in cases of importance arising under the Land Acquisition Regulation it would be desirable whenever possible to depute the Assistant Commissioner in charge of

over

SUBJECT

The Sub Division to assist and instruct the Public Prosecutor, Government Advocate, or other person appearing on behalf of Government in the conduct of Proceedings before the Civil Courts. This will not only afford useful training to the officers Concerned, but also ensure the interests of Government being properly represented

Pm.b

W. 19/2/10 Secretary

To

The Registrar Chief Court

by Courts of Districts.

Chief Court
19/2/10